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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

WEINMAN, SEAN M

ART UNIT

PAPER NUMBER

2115

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/609,315	Applicant(s) MEYERZON ET AL.	
	Examiner Sean Weinman	Art Unit 2115	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment filed on 17 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the amendment filed on March 17, 2006. *Claims 14 and 28* are cancelled. *Claims 1-13 and 15-27* are pending.

5

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Figure 2 reference character “252” is not mentioned in the description.
- 10 • Figure 4 reference characters “415”, “420”, and “440” are not mentioned in the description.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because:

- Reference character “210” in Figure 2 has been used to designate both “Metadata” and “Author = AEJ; NDS”.

15 Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet
20 submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the examiner does not

accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5 The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

10 ***Claims 1-13 and 15-27*** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

15 ***Claim 1*** recites the limitation "the results" in line 2 of the respective claim. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 1 recites the limitation "the requester" in line 8 of the respective claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "a search engine" in line 2 of the respective claim. It is unclear whether this is intended to be the same as or different the "search engine" recited in claim 1 line 8.

20 ***Claim 6*** recites the limitation "the class" in line 1 of the respective claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "a search engine" in line 3 of the respective claim. It is unclear whether this is intended to be the same as or different the "search engine" recited in claim 1 line 8.

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Claim 10 recites the limitation "the results" in line 2 of the respective claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the step for improving futures search results returned" in lines 1-2 in the respective claim. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 11 recites the limitation "a search engine" in line 6 of the respective claim. It is unclear whether this is intended to be the same as or different the "search engine" recited in claim 10 line 5.

Claim 15 recites the limitation "the results" in line 2 of the respective claim. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 15 recites the limitation "the requester" in line 9 of the respective claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "a search engine" in lines 2-3 of the respective claim. It is unclear whether this is intended to be the same as or different the "search engine" recited in claim 15 line 9.

Claim 20 recites the limitation "the class" in line 1 of the respective claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 recites the limitation "a search engine" in line 3 of the respective claim. It is unclear whether this is intended to be the same as or different the "search engine" recited in claim 15 line 9.

Claim 24 recites the limitation "the results" in line 2 of the respective claim. There is insufficient antecedent basis for this limitation in the claim.

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Claim 25 recites the limitation “the step for improving futures search results returned” in lines 1-2 in the respective claim. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 25 recites the limitation “a search engine” in line 6 of the respective claim. It is unclear whether this is intended to be the same as or different the “search engine”

5 recited in claim 24 line 6.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

10 A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-5, 15, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Clendinning et al. (US Patent Application Publication 2002/0107861).

20 ***As per claim 1***, Clendinning et al. teach the claimed invention, comprising:

receiving a document containing document data (*Paragraphs [0033]-[0036]*);

parsing the document data into one or more document segments (*Paragraphs [0044]-[0046]*);

identifying at least one of the one or more document segments as an alias that correlates
25 with a document datum found in an alias directory service (*Paragraphs [0046]-[0050]*); and

associating the received document with the document alias so that, upon request for the document datum through a search engine (*Paragraphs [0048]-[0050]*), the received document is

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returned to the requester by association of the document datum with the alias (*Paragraphs [0070]-[0071]*).

As per claim 3, Clendinning et al. teach the claimed invention, comprising:

identifying a secondary document reference contained within the received document;

5 parsing the secondary document into secondary document segments; identifying the secondary document segment with a secondary alias, and associating the secondary document segment with the secondary alias, the secondary document, and the received document (*Paragraphs [0050] and [0052]*).

As per claim 4, Clendinning et al. teach the claimed invention, comprising:

10 the alias directory service is a contact database containing one or more aliases for one or more terms associated with one or more corresponding contacts (*Paragraphs [0046]-[0047]*).

As per claim 5, Clendinning et al. teach the claimed invention, comprising:

identifying the document segment as part of a predefined class or a class alias, so that a

data request through a search engine returns the requested data to the requester when the

15 requester enters one or more of the identified class, the class alias, and the alias (*Paragraphs [0046]-[0050]*).

As per claims 15, and 17-19, it is directed at the computer program product have computer executable instructions for performing the method of normalizing document data to improve search results as set forth in claim 1 and 3-5. Since Clendinning et al. teach the claimed
20 method of normalizing document data, Clendinning et al. teach the computer executable instruction for performing the method of normalizing document data.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10 ***Claims 2, 6-13, 16, and 20-27*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Clendinning et al. (US Patent Application Publication 2002/0107861) in view of Anick et al. (US Patent Application Publication 2004/0186827).

As per claims 2 and 10-13, Clendinning et al. teaches the claimed invention for all of the reasons set forth hereinabove. Clendinning et al. does not teach where the document data that is
15 normalized is metadata. Specifically, Clendinning et al. teaches receiving a document containing data, breaking that data into different segments of information pertaining to that document, identifying the segments as an alias which is found within a database, and then associating the document with the alias so that document can received when the alias is requested through a search engine. Clendinning et al. does not teach that the document data is metadata.

20 Anika et al. teaches a method of improving the results of a search request by receiving a document and breaking the document data in segments that are associated with the metadata of the document which assist the search engine in searching the document. Anika et al. teach the claimed invention wherein the document data are metadata and wherein the alias is a document alias (*Paragraphs [0071]-[0072]*). In summary, Anike et al. teach where the document data is
25 metadata and the alias associated with searching the documents is metadata.

It would have been obvious to combine the teachings of Clendinning et al. and Anike et al. because they both teach method for improving the search of documents by normalizing document data. Anike et al. teach the deficiency of Clendinning et al. by teaching that the document data is metadata and that the alias is document metadata.

5 ***As per claim 6***, Anika et al. teach the claimed invention comprising:

the class is one or more of a weighted value for one or more associated terms, a metadata concept, and a property type (*Paragraphs [0024] and [0071]-[0072]*).

As per claim 7, Anika et al. teach the claimed invention comprising:

10 associating a term in an inverted index with one or more of the identified alias and the predefined class or class alias; and storing the inverted index for use by a search engine (*Paragraph [0072]*).

As per claim 8, Anika et al. teach the claimed invention comprising:

15 property type is an authorship property (*Paragraphs [0072] Anika et al. does not explicitly teach that the property type is authorship it would have been obvious to one of ordinary skill to have made a property type alias into the authorship property of the document*).

As per claim 9, Clendinning et al. teach the claimed invention, comprising:

20 wherein a classification module further implements the method comprising:
identifying a next document containing next document data that can be identified with the class, whereby the class comprises at least the document containing document data and the next document containing next document data; and

based on the document data and the next document data, identifying additional documents within the class, so that the classification module is trained to associate additional

documents with the class that would not have otherwise been identified (*Paragraphs [0033]-[0036] and [0044]-[0050]*).

As per claims 16, and 20-27, it is directed at the computer program product have computer executable instructions for performing the method of normalizing document data to improve search results as set forth in claim 2, 6-9, and 10-13. Since Clendinning et al. and Anika et al. teach the claimed method of normalizing document data, Clendinning et al. and Anika et al. teach the computer executable instruction for performing the method of normalizing document data.

10 ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Weinman whose phone number is (571) 272-2744. The examiner can normally be reached on Monday-Friday from 8:00-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (571) 272-3667. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Sean Weinman
Examiner
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